

09-03-02

\$DAC



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Express Mail No.: EL623556654US

Date of Deposit: August 30, 2002

Application No.: 10/075,032  
Filing Date: February 12, 2002  
Applicant: Brinkley, et al.  
Group Art Unit: 2681  
Examiner: Unknown  
Title: Method And Apparatus For Remote Initiation of Arinc 615 Downloads  
Attorney Docket: 7784-000338

---

Box Missing Parts  
Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**EXPRESS MAIL TRANSMITTAL**

The following papers are being deposited with the United States Postal Service Express Mail Post Office To Addressee and addressed for receipt by the United States Patent and Trademark Office:

1. Petition Under 37 C.F.R. §1.47(a)
2. Declaration in Support of Petition
3. Copies of Correspondence (some redacted);
  - a. Letter of March 18, 2002
  - b. Letter of April 2, 2002
  - c. Letter of March 29, 2002
  - d. Letter of April 12, 2002
  - e. Facsimile letter of April 29, 2002
  - f. Letter of June 25, 2002 and certified return receipt post card
  - g. Letter of July 29, 2002
  - h. Facsimile letter of August 12, 2002


**RECEIVED**

SEP 06 2002

**OFFICE OF PETITIONS**

4. Notice of Missing Parts
5. Petition for Extension of Time (3 mo)
6. Fee Transmittal
7. Postcard
9. Check

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

  
Signature  
Reg. No. 35,842

EXPRESS MAIL EL623556654US

App. for use through 10/31/2002. OMB 0651-0032  
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ ) 1180

## Complete if Known

Application Number 10/075,032  
 Filing Date February 12, 2002  
 First Named Inventor Brinkley et al.  
 Examiner Name  
 Group / Art Unit 2681  
 Attorney Docket No. 7784-000338

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number 08-0750

Deposit Account Name Hamess, Dickey & Pierce, PLC

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description        | Fee Paid |
|----------------|-----------------|----------------|-----------------|------------------------|----------|
| 101            | 740             | 201            | 370             | Utility filing fee     |          |
| 106            | 330             | 206            | 165             | Design filing fee      |          |
| 107            | 510             | 207            | 255             | Plant filing fee       |          |
| 108            | 740             | 208            | 370             | Reissue filing fee     |          |
| 114            | 160             | 214            | 80              | Provisional filing fee |          |

SUBTOTAL (1) (\$ ) 0

### 2. EXTRA CLAIM FEES

| Total Claims | Independent Claims | Multiple Dependent | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------------|--------------|----------------|----------|
|              |                    |                    | 0            | 0              | 0        |
|              |                    |                    | 0            | 0              | 0        |
|              |                    |                    |              |                | 0        |

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description  |
|----------------|-----------------|----------------|-----------------|--|
| 103            | 18              | 203            | 9               | Claims in excess of 20                                     |
| 102            | 84              | 202            | 42              | Independent claims in excess of 3                          |
| 104            | 280             | 204            | 140             | Multiple dependent claim, if not paid                      |
| 109            | 84              | 209            | 42              | ** Reissue independent claims over original patent         |
| 110            | 18              | 210            | 9               | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ ) 0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description  | Fee Paid |
|----------|-----------------------|-----------------------|-----------------------|--|----------|
| 105      | 130                   | 205                   | 65                    | Surcharge - late filing fee or oath  | 130      |
| 127      | 50                    | 227                   | 25                    | Surcharge - late provisional filing fee or cover sheet.                    |          |
| 139      | 130                   | 139                   | 130                   | Non-English specification  |          |
| 147      | 2,520                 | 147                   | 2,520                 | For filing a request for reexamination                                     |          |
| 112      | 920*                  | 112                   | 920*                  | Requesting publication of SIR prior to Examiner action                     |          |
| 113      | 1,840*                | 113                   | 1,840*                | Requesting publication of SIR after Examiner action                        |          |
| 115      | 110                   | 215                   | 55                    | Extension for reply within first month                                     |          |
| 116      | 400                   | 216                   | 200                   | Extension for reply within second month                                    |          |
| 117      | 920                   | 217                   | 460                   | Extension for reply within third month                                     | 920      |
| 118      | 1,440                 | 218                   | 720                   | Extension for reply within fourth month                                    |          |
| 128      | 1,960                 | 228                   | 980                   | Extension for reply within fifth month                                     |          |
| 119      | 320                   | 219                   | 160                   | Notice of Appeal   |          |
| 120      | 320                   | 220                   | 160                   | Filing a brief in support of an appeal                                     |          |
| 121      | 280                   | 221                   | 140                   | Request for oral hearing   |          |
| 138      | 1,510                 | 138                   | 1,510                 | Petition to institute a public use proceeding                              |          |
| 140      | 110                   | 240                   | 55                    | Petition to revive - unavoidable   |          |
| 141      | 1,280                 | 241                   | 640                   | Petition to revive - unintentional   |          |
| 142      | 1,280                 | 242                   | 640                   | Utility issue fee (or reissue)   |          |
| 143      | 460                   | 243                   | 230                   | Design issue fee   |          |
| 144      | 620                   | 244                   | 310                   | Plant issue fee  |          |
| 122      | 130                   | 122                   | 130                   | Petitions to the Commissioner  | 130      |
| 123      | 50                    | 123                   | 50                    | Processing fee under 37 CFR 1.17 (q)                                       |          |
| 126      | 180                   | 126                   | 180                   | Submission of Information Disclosure Stmt                                  |          |
| 581      | 40                    | 581                   | 40                    | Recording each patent assignment per property (times number of properties) |          |
| 146      | 740                   | 246                   | 370                   | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149      | 740                   | 249                   | 370                   | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179      | 740                   | 279                   | 370                   | Request for Continued Examination (RCE)                                    |          |
| 169      | 900                   | 169                   | 900                   | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 1180

Express Mail No. EL623556654US

## SUBMITTED BY

## Complete (if applicable)

|                   |                |                                  |        |           |                 |
|-------------------|----------------|----------------------------------|--------|-----------|-----------------|
| Name (Print/Type) | Alan L. Cassel | Registration No. Attorney/Agent) | 35,842 | Telephone | 314-726-7514    |
| Signature         |                |                                  |        | Date      | August 30, 2002 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231.  
 DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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OFFICE OF PETITIONS



## UNITED STATES PATENT AND TRADEMARK OFFICE

EXPRESS MAIL  
EL62355665445

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/075,032         | 02/12/2002          | Roger R. Brinkley     | 7784-000338            |

Mark D. Elchuk and Alan L. Cassel  
Harness, Dickey & Pierce, P.L.C.  
Suite 400  
5445 Corporate Drive  
Troy, MI 48098-2683



CONFIRMATION NO. 6309  
FORMALITIES LETTER



Date Mailed: 04/03/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:  
*David R. Lee*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09/05/2002 AHONDAF1 00000020 10075032

01 FC:105

130.00 OP

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OFFICE OF PETITIONS



EL623556654US

**HARNESSE, DICKEY & PIERCE, P.L.C.**  
ATTORNEYS AND COUNSELORS  
7700 BONHOMME, SUITE 400  
ST. LOUIS, MISSOURI 63105  
—  
TELEPHONE (314) 726-7500  
FAX (314) 726-7501  
www.hdp.com

TROY, MICHIGAN      RESTON, VIRGINIA

March 18, 2002

Mr. David Lee  
15409 SE 128<sup>th</sup> Street  
Renton, WA 98059

Re: U.S. patent application for:  
"Method and Apparatus for Remote Initiation of Arinc 615  
Downloads"  
Our reference no. 7784-000338

Dear Mr. Lee:

I have been informed that you were retaining the sources of an attorney in the matter of your signing the formal papers for the Boeing patent applications entitled "Method and Apparatus for Remote Initiation of ARINC 615 downloads" and

I do not have your attorney's name, phone number, or an address at which to contact him or her.

Please have your attorney contact me. My direct telephone line is (314) 726-7514. The best time to call is any weekday between 8:00 a.m. and 5:00 p.m. Central time, although I will be away from the office between March 25 and March 29, 2002. During my absence, your attorney may leave a voice mail message for me or try to reach Brian Wheelock at (314) 726-7505.

Thank you for your cooperation.

Sincerely,

Alan L. Cassel

ALC/lfs

**HARNESSE, DICKEY & PIERCE, P.L.C.**

ATTORNEYS AND COUNSELORS

7700 BONHOMME, SUITE 400

ST. LOUIS, MISSOURI 63105

TELEPHONE (314) 726-7500

FAX (314) 726-7501

www.hdp.com

TROY, MICHIGAN

RESTON, VIRGINIA

April 2, 2002

**VIA CERTIFIED MAIL – Z 205 400 563****RETURN RECEIPT REQUESTED**

Mr. David Lee

15409 SE 128<sup>th</sup> Street

Renton, WA 98059

Re: U.S. patent application for:  
"Method and Apparatus for Remote Initiation of Arinc 615  
Downloads"  
Our reference no. 7784-000338

Dear Mr. Lee:

I have been informed that you were retaining the sources of an attorney in the matter of your signing the formal papers for the Boeing patent applications named above. These signatures must now be filed in the Patent and Trademark Office. However, I do not have your attorney's name or any information that would permit me to contact him or her.

Please send me the name and contact information for your attorney, or please have your attorney contact me. I can be reached directly at (314) 726-7514 weekdays between 8:00 a.m. and 5:00 p.m. Central time. Alternately, you or your attorney can send me a facsimile letter with this information directed to my attention at (314) 726-7501, or you can contact me via email at [acassel@hdp.com](mailto:acassel@hdp.com). I can also be reached by regular mail to my attention at the address at the top of the letterhead. If you are not, in fact, represented by an attorney in this matter, please contact me directly.

Thank you for your cooperation.

Sincerely,

Alan L. Cassel

ALC/lds



EL 62355665445

## SEED

Intellectual Property Law Group PLLC

701 Fifth Avenue, Suite 6300  
Seattle WA 98104-7092 USA  
Facsimile: (206) 682-6031  
Telephone: (206) 622-4900  
www.seedlaw.com

Frank Abramonte  
franka@seedlaw.com

March 29, 2002

Mr. Alan L. Cassel  
Harness, Dickey & Pierce, P.L.C.  
7700 Bonhomme, Suite 400  
St. Louis, MO 63105

Re: Aerolan L.L.C.

Inventorship of Inventions Entitled  
Method and Apparatus for Remote Initiation of Arinc 615 Downloads, and

Our Reference: 590057.001

Dear Mr. Cassel:

We have been retained by Aerolan L.L.C., of which Mr. David Lee is a principal, regarding your matters 7784-000338, entitled "Method and Apparatus for Remote Initiation of Arinc 615 Downloads," and

We are currently evaluating inventorship issues regarding the above matters and will contact you when we have completed our evaluation.

Very truly yours,

SEED Intellectual Property Law Group PLLC

Frank Abramonte

(FXA:lrj) 271236\_1



EL62355665445

**HARNESSE, DICKEY & PIERCE, P.L.C.**

ATTORNEYS AND COUNSELORS

7700 BONHOMME, SUITE 400

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TROY, MICHIGAN

RESTON, VIRGINIA

April 12, 2002

Frank Abramonte, Esq.  
SEED Intellectual Property Law Group PLLC  
701 Fifth Avenue, Suite 6300  
Seattle, WA 98104-7092

Re: U.S. patent applications for:  
**"Method and Apparatus for Remote Initiation of Arinc 615  
Downloads" and**

Our reference numbers. 7784-000338  
Your reference number 590057.001

Dear Mr. Abramonte:

Thank you for contacting me regarding the above-identified patent applications.

Your introductory letter crossed in the mail with a certified letter sent to Mr. David Lee on April 2, 2002, a copy of which is enclosed. Please tell Mr. Lee that I have already received your introductory letter.

Please contact me as soon as possible after you have completed your evaluation of the issues regarding these patent applications.

Notices to File Missing Parts have already been received in both applications.

The Notice for "Method and Apparatus for Remote Initiation of Arinc 615 Downloads" requires the filing of an executed Declaration within two months of April 3, 2002. As you know, the two month periods can be extended, but only for a limited period of time before the applications become abandoned, and government fees increase sharply as longer extension periods are requested.



Frank Abramonte, Esq.  
April 12, 2002  
Page 2

I have enclosed Declaration and Power of Attorney for each application for Mr. Lee to execute and return to us. The signatures of the other inventors have already been obtained and are not required.

In the unlikely event that you disagree, please at least have your client execute and return the Declarations and Powers of Attorney (or let us know why he is refusing to do so) so that Boeing's rights in these matters are not prejudiced.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan Cassel", with a stylized, flowing script.

Alan L. Cassel

ALC/ljs  
Enclosures

**SEED**

Intellectual Property Law Group PLLC

701 Fifth Avenue, Suite 6300  
Seattle WA 98104-7092 USA  
Facsimile: (206) 682-6031  
Telephone: (206) 622-4900  
www.seedlaw.com

Frank Abramonte  
franka@seedlaw.com

April 29, 2002

**Facsimile Transmission**2 pages including this page

**TO:** Mr. Alan L. Cassel  
Fax No.: (314) 726-7501  
Phone No.: (314) 726-7500

**RE:** Aerolan L.L.C.  
Ownership and Inventorship of Inventions Entitled  
Method and Apparatus for Remote Initiation of Arinc 615 Downloads, and

Your Reference Nos.: 7784-000338

Our Reference No.: 590057.001

☐ Urgent ☒ For Review ☐ Please Confirm Receipt ☐ Please Reply ASAP

Comments:

**RECEIVED**

SEP 06 2002

**OFFICE OF PETITIONS**

If you do not receive all pages, please call Laura Jensen at (206) 622-4900 or fax our office.

Transmission Information: Date \_\_\_\_\_ Time \_\_\_\_\_ By \_\_\_\_\_

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**SEED**

Intellectual Property Law Group PLLC

701 Fifth Avenue, Suite 6300  
Seattle WA 98104-7092 USA  
Facsimile: (206) 682-6031  
Telephone: (206) 622-4800  
www.seedlaw.com

April 29, 2002

Frank Abramonte  
franka@seedlaw.com

By Facsimile (314) 726-7501

Mr. Alan L. Cassel  
Harness, Dickey & Pierce, P.L.C.  
7700 Bonhomme, Suite 400  
St. Louis, MO 63105

Re: Aerolan L.L.C.  
Method and Apparatus for Remote Initiation of Arinc 615 Downloads, and

Your Reference Nos.: 7784-000338  
Our Reference No.: 590057.001

Dear Mr. Cassel:

Thank you for your patience while we evaluated the inventorship issues regarding the above inventions.

Based on our review of the pending patent applications and our discussions with David Lee, we believe that the inventorship as stated in the declarations is incorrect. The declarations appear to mistakenly include three individuals (Roger Brinkley, Timothy Mitchell and Jerry Price) who did not contribute to the claimed subject matter, and appear to mistakenly omit one individual (William Holst) whom we believe to be a joint inventor with Mr. Lee. Thus, Mr. Lee cannot execute the declarations you forwarded in accordance with 18 USC § 1001; 35 USC §§ 25,115; and 37 CFR §§ 1.63, 1.64 and 1.68. If you believe Mr. Brinkley, Mr. Mitchell and/or Mr. Price are inventors, please identify the claimed subject matter which they contributed.

We would be happy to discuss any additional information you may have regarding inventorship of the above inventions at your convenience.

Very truly yours,

SEED Intellectual Property Law Group PLLC



Frank Abramonte

cc: David R. Lee

(FXA:lj) 279456\_1



EL62355665445

**HARNES, DICKEY & PIERCE, P.L.C.**

ATTORNEYS AND COUNSELORS

7700 BONHOMME, SUITE 400

ST. LOUIS, MISSOURI 63105

TELEPHONE (314) 726-7500

FAX (314) 726-7501

www.hdp.com

Rudolph A. Telscher, Jr.  
(314) 726-7515  
rtelscher@hdp.com

TROY, MICHIGAN

RESTON, VIRGINIA

June 25, 2002

Mr. Frank Abramonte  
SEED Intellectual Property Law Group, PLLC  
701 Fifth Avenue, Suite 6300  
Seattle, Washington 98104-7002

Dear Mr. Abramonte:

As you are aware, Boeing recently filed two U.S. patent applications ("Boeing Applications"). Mr. Lee was given the opportunity to review these applications with the other Boeing inventors, and did so without signing the accompanying formal papers. We now enclose them for your review and for your client's further review in the hope that it will put to rest the inventorship issues that you have raised. The applications are confidential and should be treated accordingly. We are confident that the claims are directed to subject matter jointly invented by Mr. Lee and the other Boeing inventors.

There are essentially two issues: 1) whether Mr. Lee should/will sign as a joint inventor on the Boeing Applications;

Regarding the first issue, because Boeing is confident that Mr. Lee is a joint inventor on the applications, it has correctly identified him in the applications as such. By this letter, we are requesting that Mr. Lee execute the attached declaration as a joint inventor, which is consistent with our repeated requests to date. If he refuses to do so, Boeing will execute its rights under the Patent statute, 35 U.S.C 116, and move

Mr. Frank Abramonte  
Page 2 of 4  
June 4, 2002

forward without Mr. Lee as an inventor refusing to sign. You are reminded that under the "Assigned Personnel Agreement," Paragraph (g), Mr. Lee is required to execute papers necessary to perfect Boeing's patent rights.

The enclosed Boeing Applications should alleviate your concerns that Boeing is trying to cover subject matter not owned by Boeing that was invented by Mr. Lee and Mr. Holst.

We have received no documentation to indicate that your client conceived and reduced to practice prior to August 2000 an invention relating to either uploading and downloading data transmitted via a radio link between an aircraft and another device or the automatic configuration performed on the aircraft to make data transfer possible or for that matter the mechanical switch. If you believe otherwise please be so kind as to provide such information.

# Page 3 of 4 redacted in its entirety.

See MPEP 409.03(d):

"Proof that a bona fide attempt was made to present a copy of the application papers (specification, including claims, drawings, and oath or declaration) to the nonsigning inventor for signature, but the inventor refused to accept delivery of the papers or expressly stated that the application papers should not be sent, may be sufficient. When there is an express oral refusal, that fact along with the time and place of the refusal must be stated in the statement of facts. When there is an express written refusal, a copy of the document evidencing that refusal must be made part of the statement of facts. The document may be redacted to remove material not related to the inventor's reasons for refusal."

Mr. Frank Abramonte  
Page 4 of 4  
June 4, 2002

The submission of Mr. Lee's declaration in both of Boeing's U.S. Patent Applications are already overdue and in an extension period, so damages are accumulating and these matters should be considered promptly.

Very truly yours,



Rudolph A. Telscher, Jr.

RAT:sms

Bcc: Roger Brinkley  
Henry G. Kohlmann



EL6235566545

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
Mr. Frank Abramonte  
SEED Intellectual Property  
Law Group, PLLC  
701 Fifth Ave, Suite 6300  
Seattle, Washington  
98104-7002

2. Article Number (Copy from service label)

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A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X

☐ Agent  
☐ Addressee

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

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☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

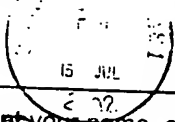




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**Harness, Dickey & Pierce, P.L.C.**  
**7700 Bonhomme Avenue**  
**Suite 400**  
**St. Louis, Missouri 63105**

**ALC/IDS/7784-000338FOA4361FOA**

87





EL62355665745

**HARRISS, DICKEY & PIERCE, P.L.C.**  
ATTORNEYS AND COUNSELORS  
7700 BONHOMME, SUITE 400  
ST. LOUIS, MISSOURI 63105  
  
TELEPHONE (314) 726-7500  
FAX (314) 726-7501  
www.hdp.com

Rudolph A. Telscher, Jr.  
(314) 726-7515  
rtelscher@hdp.com

TROY, MICHIGAN      RESTON, VIRGINIA

July 29, 2002

**VIA FACSIMILE**

Frank Abramonte, Esq.  
SEED Intellectual Property Law Group PLLC  
701 Fifth Avenue, Suite 6300  
Seattle, WA 98104-7092

Re: Boeing/AeroLAN Matter

Dear Mr. Abramonte:

To follow up on our July 26, 2002 telephone discussion, attached to this facsimile letter are copies of a document entitled

Our client wants to take action to complete the missing parts before August 12, 2002, when a three month extension period runs out. Please call us to discuss this matter

Frank Abramonte, Esq.  
July 29, 2002  
Page 2

insufficient time so that further damages can be avoided.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rudy", written in black ink.

Rudolph A. Telscher, Jr.

RAT/sms  
Enclosures

**SEED**

Intellectual Property Law Group PLLC

701 Fifth Avenue, Suite 6300  
Seattle WA 98104-7092 USA  
Facsimile: (206) 682-6031  
Telephone: (206) 622-4900  
www.seedlaw.com

Frank Abramonte  
franka@seedlaw.com

August 12, 2002

**Facsimile Transmission**2 pages including this page

TO: Mr. Rudolph A. Telscher, Jr.  
Fax No.: (314) 726-7501  
Phone No.: (314) 726-7500

RE: Aerolan L.L.C.

Inventorship of Inventions Entitled  
Method and Apparatus for Remote Initiation of Arinc 615 Downloads,

Your Reference Nos.: 7784-000338

Our Reference No.: 590057.001

☐ Urgent ☒ For Review ☐ Please Confirm Receipt ☐ Please Reply ASAP

Comments:

If you do not receive all pages, please call Laura Jensen at (206) 622-4900 or fax our office.

Transmission Information: Date \_\_\_\_\_ Time \_\_\_\_\_ By \_\_\_\_\_

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Intellectual Property Law Group PLLC

701 Fifth Avenue, Suite 6300  
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August 12, 2002

By Facsimile (314) 726-7501

Mr. Rudolph A. Telscher, Jr., Esq.  
Harness, Dickey & Pierce, P.L.C.  
7700 Bonhomme, Suite 400  
St. Louis, MO 63105

Re: Aerolan L.L.C.  
Method and Apparatus for Remote Initiation of ARINC 615 Downloads,

Your Reference Nos.: 7784-000338  
Our Reference No.: 590057.001

Dear Mr. Telscher:

This letter is in response to your letter of July 29, 2000, and our telephone conference of August 8, 2002.

As stated in our previous letters, we believe that the inventorship stated in the declarations forwarded by Mr. Cassel is incorrect based on our review of the pending patent applications and our discussions with David Lee and William Holst. The declarations appear to incorrectly include three individuals (Roger Brinkley, Timothy Mitchell and Jerry Price) who did not contribute to the claimed subject matter, and mistakenly omit one individual (William Holst) who is a joint inventor with Mr. Lee of the claimed subject matter.

We note that Mr. Lee is a named inventor on the applications, and thus he is entitled to an explanation of the inventorship, and is in fact *legally required* to understand and agree with such before executing the associated declarations. Thus, we again request that you please identify the claimed subject matter which you contend was conceived by Mr. Brinkley, Mr. Mitchell and/or Mr. Price, and provide an explanation for the omission of Mr. Holst

In accordance with 18 USC § 1001; 35 USC §§ 25,115; and 37 CFR §§ 1.63, 1.54 and 1.68, Mr. Lee cannot execute the declarations you forwarded until a satisfactory explanation of inventorship is received.

Very truly yours,

SEED Intellectual Property Law Group PLLC



Frank Abramonte

cc: David R. Lee  
William Holst

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